



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Consent

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F.11.

8/25/2020

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### Subject:

Approval Re: Temporary Construction Easement from Jacob Aaron Corporation for the W20 Force Main as part of the West Cocoa Utilities Improvement Project - District 1.

### Fiscal Impact:

None

### Dept/Office:

Public Works Department / Land Acquisition / Utility Services Department

### Requested Action:

It is requested that the Board of County Commissioners approve and accept the Temporary Construction Easement.

### Summary Explanation and Background:

The subject property is located in Section 28, Township 24 South, Range 35 East, on the north side of State Road 524 in Cocoa.

The Utility Services Department's West Cocoa wastewater collection and transmission system, including lift stations, force mains, and gravity mains, are aging infrastructures that require rehabilitation and/or replacement. Several of the existing lift stations were originally privately-owned, but are now owned and maintained by the Brevard County Utility Services Department. Many of these lift stations are not in compliance with current Brevard County wastewater design standards since they were initially constructed and maintained as private facilities. There are several easements and proposed property acquisitions that are required to optimize the performance of the overall improvements to the West Cocoa wastewater collection system. The Jacob Aaron Corporation parcel has been identified as an area needed temporarily to support directional drilling in connection with Force Main W20. The owner has agreed to the request for this temporary easement.

The User Department is in agreeance with this request.

This acquisition follows the policies and procedures as set forth in Administrative Order 37.

### Clerk to the Board Instructions:

## BOARD OF COUNTY COMMISSIONERS



### AGENDA REVIEW SHEET

AGENDA: Temporary Construction Easement from Jacob Aaron Corporation for the W20 Force Main as Part of the West Cocoa Utilities Improvement Project – District 1.

AGENCY: Public Works Department / Land Acquisition / Utility Services Department

AGENCY CONTACT: Lucy Hamelers, Land Acquisition Supervisor

CONTACT PHONE: 321-350-8336 (58336)

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Lucy Hamelers, Supervisor		_____	<u>7-20-2020</u>
COUNTY ATTORNEY Alex Esseeesse Assistant County Attorney		_____	<u>7/20/20</u>

AGENDA DUE DATE: August 18, 2020 for the August 25, 2020 Board meeting



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Kimberly.Powell@brevardclerk.us

August 26, 2020

**M E M O R A N D U M**

**TO:** Marc Bernath, Public Works Director


**RE:** Item F.11., Approval of Temporary Construction Easement from Jacob Aaron Corporation for the W20 Force Main as part of the West Cocoa Utilities Improvement Project

The Board of County Commissioners, in regular session on August 25, 2020, approved and accepted the Temporary Construction Easement from Jacob Aaron Corporation for the W20 Force Main.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

  
Kimberly Powell, Clerk to the Board

/sm

cc: Utility Services

Prepared by and return to:  
Public Works, Land Acquisition  
2725 Judge Fran Jamieson Way, A-204, Viera, FL 32940  
A portion of Interest in Tax Parcel I.D.: 24-35-28-00-796

### **TEMPORARY CONSTRUCTION EASEMENT**

For and in consideration of the mutual benefits accruing to the parties, and for other good and valuable consideration, the receipt of which is hereby acknowledged, Jacob Aaron Corporation, a Florida Profit Corporation, hereinafter called the Owner, whose address is 2601 Biscayne Boulevard, Miami, FL 33137, do(es) hereby give, grant, bargain and release to the Brevard County, Florida, a political subdivision of the State of Florida, hereinafter called County, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida, 32940, a temporary construction easement for the purpose(s) of the construction of the 12" W-20 force main by directional drilling, and other allied uses pertaining thereto, over, under, upon, above, and through the following lands:

The land affected by the granting of the easement is located in Section 28, Township 24 South, Range 35 East, County of Brevard, State of Florida, and being more particularly described as follows:

#### **SEE LEGAL DESCRIPTION ATTACHED HERETO AS "EXHIBIT A"**

with construction to be undertaken by or under direct supervision of Brevard County Florida. This easement shall be limited to said purposes but shall include all rights necessary to accomplish the stated purposes, including, but not limited to the right of ingress and egress onto the easement area as may be necessary for County to accomplish the work, the right to occupy, possess, and to control the property described herein for the stated purposes, the right to stage and to use equipment on said lands for the stated purposes, and the authority of the County to apply for and to secure any necessary permits or approvals to accomplish the stated purposes.

The Owner does hereby covenant with the County that it is lawfully seized and possessed of the lands above described and that it has a good and lawful right to convey it or any part thereof.

THIS EASEMENT is granted upon the condition that the property will be restored to a condition as nearly as possible to its original condition that existed prior to the use intended by this easement.

(Signatures and Notary on next page)

THIS EASEMENT shall expire upon the completion of the project or December 21, 2025, whichever occurs first.

Signed, sealed, and delivered in the presence of:

*Kardina Rodriguez*  
Witness  
Kardina Rodriguez  
(Print Name)

Jacob Aaron Corporation, A Florida  
Profit Corporation

*Roger Miller*  
Roger Miller, President

*Antonio Rodriguez*  
Witness  
Antonio Rodriguez  
(Print Name)

STATE OF FLORIDA  
COUNTY OF Miami - Dade

The foregoing instrument was acknowledged before me by means of physical presence on this 15 day of July, 2020, by Roger Miller as President for Jacob Aaron Corporation. Is personally known or produced \_\_\_\_\_ as identification.

*[Signature]*  
Notary Signature  
SEAL

Agenda Item # \_\_\_\_\_  
Board Meeting Date \_\_\_\_\_



# LEGAL DESCRIPTION

## PARCEL 702

SECTION 28, TOWNSHIP 24 SOUTH, RANGE 35 EAST  
PARENT PARCEL ID NO.: 24-35-28-00-796  
PURPOSE: TEMPORARY CONSTRUCTION EASEMENT

# EXHIBIT "A"

## SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

**THIS IS NOT A SURVEY**

### LEGAL DESCRIPTION: PARCEL 702, TEMPORARY CONSTRUCTION EASEMENT (BY SURVEYOR)

A PARCEL OF LAND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2959, PAGE 2025 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND ALSO BEING LOCATED WITHIN SECTION 28, TOWNSHIP 24 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF THE AFORESAID DESCRIBED LANDS; THENCE NORTH 06° 42' 50" EAST ALONG THE WEST LINE OF THE AFORESAID DESCRIBED LANDS FOR A DISTANCE OF 55.03 FEET; THENCE DEPARTING SAID WEST LINE, RUN SOUTH 83° 17' 10" EAST FOR A DISTANCE OF 25.00 FEET; THENCE SOUTH 06° 42' 50" WEST FOR A DISTANCE OF 54.75 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF STATE ROAD 524, SECTION 70070-2501, SAID POINT ALSO BEING THE POINT OF CURVATURE OF A NON-TANGENTIAL CURVE CONCAVE TO NORTH, HAVING A RADIUS OF 1100.00 FEET, A CENTRAL ANGLE OF 01° 18' 08", AND WHOSE LONG CHORD BEARS NORTH 83° 56' 14" WEST; THENCE ALONG SAID NORTH RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1,373 SQUARE FEET (0.03 ACRES), MORE OR LESS.

UNLESS OTHERWISE INDICATED, ALL PUBLIC RECORDS REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE ABOVE DESCRIBED LANDS IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, COVENANTS, AND RESTRICTIONS OF RECORD. THIS SURVEYOR DID NOT PERFORM A SEARCH OF THE PUBLIC RECORDS; NO TITLE OPINION IS EXPRESSED OR IMPLIED.

#### SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREIN.
2. BEARINGS SHOWN HEREON ARE SPECIFICALLY BASED ON THE WST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2959, PAGE 2025 AS BEING NORTH 06° 24' 50" EAST AS DETERMINED BY THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.
3. REFERENCE MATERIAL:
  - a. FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP OF STATE ROAD NO. 528 (NOW 524), SECTION 70070-2501, DATED 12/9/1983.
  - b. FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP OF STATE ROAD NO 520, SECTION 70100-2575, DATED 12/4/00.
4. ONLY RIGHTS OF WAY AND EASEMENTS SHOWN ON APPLICABLE RECORD PLATS ARE INDICATED HEREON. NO OWNERSHIP AND ENCUMBRANCE REPORT OR OTHER INFORMATION WAS FURNISHED TO THE SURVEYOR AND MAPPER.



PREPARED FOR AND CERTIFIED TO:

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

MICHAEL J. SWEENEY, PSM 4870  
PROFESSIONAL SURVEYOR & MAPPER  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DIVISION  
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220, VIERA, FLORIDA 32940  
PHONE: (321) 633-2080



DRAWN BY: R. HENNING	CHECKED BY: M. J. SWEENEY	DRAWING NO. 243528_SK_1902036_PARCEL-702.dwg		SECTION 28 TOWNSHIP 24 SOUTH RANGE 35 EAST
		REVISIONS	DATE DESCRIPTION	
DATE: FEBRUARY 10, 2020	SHEET: 1 OF 2			

# SKETCH OF DESCRIPTION

## PARCEL 702

SECTION 28, TOWNSHIP 24 SOUTH, RANGE 35 EAST  
PARENT PARCEL ID NO.: 24-35-28-00-796  
PURPOSE: TEMPORARY CONSTRUCTION EASEMENT

## ABBREVIATIONS

B.O.B. = BASIS OF BEARING  
ID = IDENTIFICATION  
N/F = NOW OR FORMERLY  
ORB = OFFICIAL RECORD BOOK  
P.O.B. = POINT OF BEGINNING  
SQ.FT. = SQUARE FEET

## EXHIBIT "A"

SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

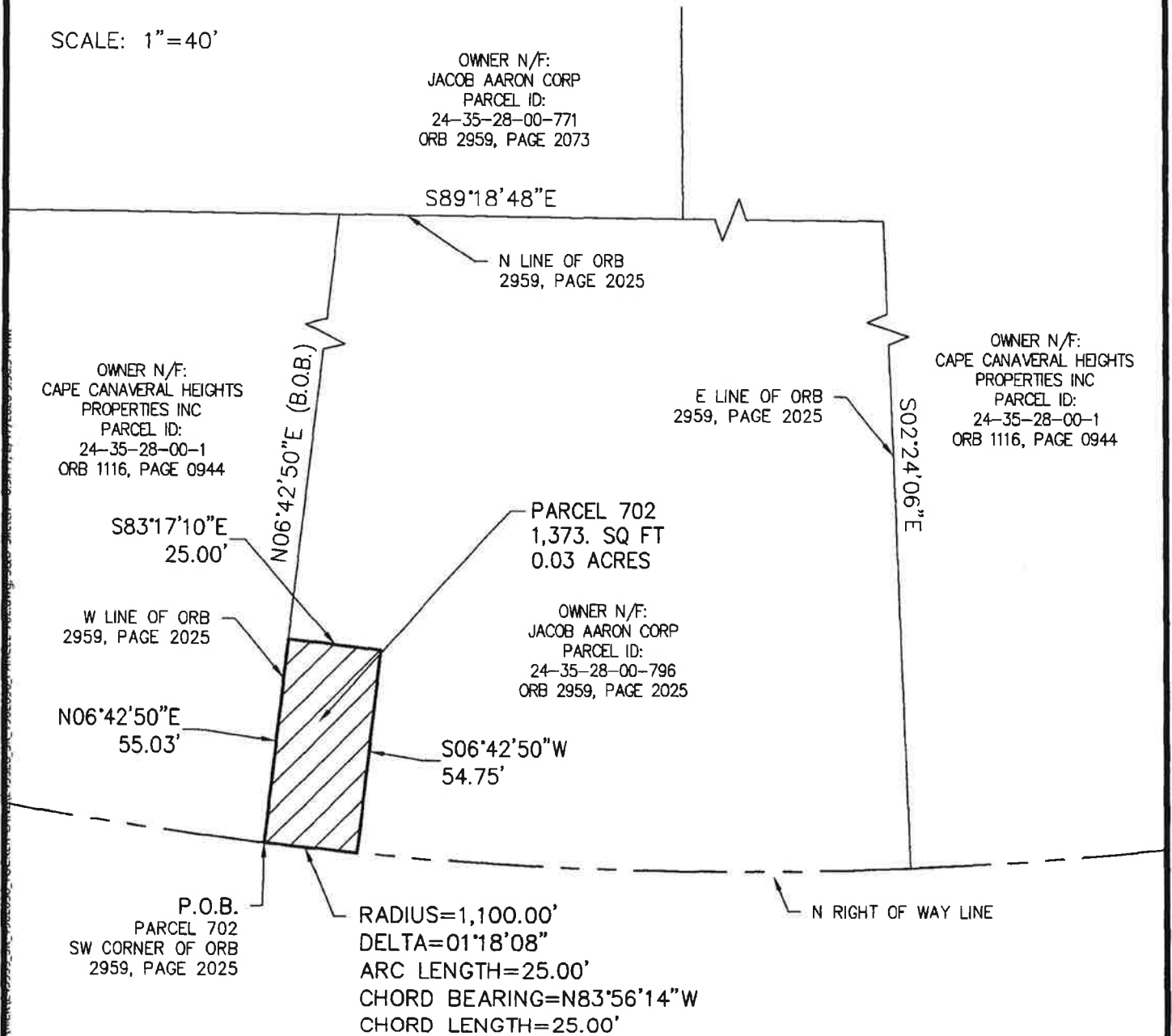
**THIS IS NOT A SURVEY**



SCALE: 1"=40'



= DENOTES PARCEL 702  
TEMPORARY CONSTRUCTION EASEMENT



S.R. 524

SECTION 70070-2501



PREPARED BY: BREVARD COUNTY PUBLIC WORKS  
SURVEYING AND MAPPING DIVISION  
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220,  
VIERA, FLORIDA 32940  
PHONE: (321) 633-2080

SCALE:

1"=40'

DRAWING NO.:  
243528\_SK\_1902036\_PARCEL-702.dwg

SECTION 28  
TOWNSHIP 24 SOUTH  
RANGE 35 EAST

## LOCATION MAP

**Section 28, Township 24 South, Range 36 East - District 1**

PROPERTY LOCATION: North side of State Road 524 in Cocoa

OWNERS NAME: Jacob Aaron Corporation

